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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/981,181 | 10/16/2001 | Daniel Moen | CSCO-142448 | 5408 |

7590 03/25/2005

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| EXAMINER |
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ISMAIL, SHAWKI SAIF

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| ART UNIT | PAPER NUMBER |
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2155

DATE MAILED: 03/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/981,181

Applicant(s)

MOEN, DANIEL

Examiner

Shawki S Ismail

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 October 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-30 are presented for examination.

Claim Rejections - 35 USC §102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

3. Claims 1-30, are rejected under 35 U.S.C. 102(e) as being anticipated by

Rochberger et al., (Rochberger) U.S. Patent No. 6,205,146.

4. As to claim 1, Rochberger teaches a method for managing a message received at a bridging device, said bridging device for bridging a subnet, said method comprising:

a) receiving a first message, said first message comprising a first contact information for a remote electronic device and a first distance vector representing a first number of hops said first message has traversed (col. 5, lines 9-30, col. 8, lines 56-62;

b) comparing said first distance vector to a stored second distance vector corresponding to a stored second contact information for said remote electronic device, said second contact information and said second distance

Art Unit: 2155

vector provided by a second message, said second distance vector representing a second number of hops said second message has traversed (col. 8, lines 56-65);

c) storing a message based on results of said comparing (col. 8, line 65 – col. 9, line 3).

5. As to claim 2, Rochberger teaches a method as recited in Claim 1, wherein said step c) further comprises:

provided said first number of hops is greater than said second number of hops, discarding said first message (col. 8, line 56 – col. 9, line 3); and

provided said first number of hops is not greater than said second number of hops, discarding said second contact information and said second distance vector and storing said first contact information and said first distance vector (col. 8, line 56 – col. 9, line 3).

6. As to claim 3, Rochberger teaches a method as recited in Claim 1 wherein said first message and said second message are address resolution protocol messages (col. 2, line 65 – col. 3, line 3).

7. As to claim 4, Rochberger teaches a method as recited in Claim 1 wherein a computer-readable memory of said bridging device is configured for storing said first contact information, said first distance vector, said second contact information and said second distance vector (col. 7, line 64 – col. 8, line 4).

8. As to claim 5, Rochberger teaches a method as recited in Claim 1 wherein said bridging device is operating as a standby bridging device (col. 9, lines 55-65).

Art Unit: 2155

9. As to claim 6, Rochberger teaches a method as recited in Claim 3 wherein said first distance vector is transmitted in pad bytes of said first message and said second distance vector is transmitted in pad bytes of said second message (col. 1, lines 42-44).

10. As to claim 7, xxx teaches a method as recited in Claim 1 wherein said first message is received from a remote bridging device, wherein upon forwarding said first message, said remote bridging device increments said first number of hops by one (col. 8, lines 65-65).

11. As to claim 8, xxx teaches a method as recited in Claim 3 wherein said first distance vector comprises:

a checksum for determining the validity of said first distance vector (col. 5, lines 62-69);

an identifier for identifying said first distance vector (col. 5, lines 52-69);
and

a value representing said first number of hops (col. 5, lines 52-69).

12. As to claim 9, Rochberger teaches a method as recited at Claim 3 wherein said address resolution protocol messages are standard Ethernet address resolution protocol messages (col. 2, lines 5-14).

13. As to claim 10, Rochberger teaches a method as recited at Claim 3 wherein said address resolution protocol messages are 802.1q address resolution protocol messages (col. 2, lines 5-14).

14. Claims 11-30 contain similar limitations as in claims 1-10 above; therefore, they are rejected under the same rationale.

Art Unit: 2155

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shawki S Ismail whose telephone number is 571-272-3985. The examiner can normally be reached on M-F 8:30 - 5:00. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on 571-272-3978. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Shawki Ismail
Patent Examiner
March 18, 2005



**BHARAT BAROT
PRIMARY EXAMINER**